UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1998/49
25 March 1998

ENGLISH
Original: ENGLISH/FRENCH

COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Item 9 (a) of the provisional agenda

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The question of integrating the human rights of women throughout the United Nations system

Report of the Secretary-General

Contents

	Paragraphs	Page
Introduction	1 - 3	2
I. Mainstreaming gender perspectives	4 - 12	2
II. Activities of the Office of the High Commissioner for Human Rights	13 - 22	4
III. Steps taken by human rights treaty bodies and by human rights mechanisms and procedures	23 - 53	6
IV. Action taken by the Commission on Human Rights	54 - 56	12
V. Conclusions and recommendations	57 - 65	13

GE.98-11042 (E)

Introduction

1. At its fifty-third session, in its resolution 1997/43 of 11 April 1997 on integrating the human rights of women throughout the United Nations system, the Commission on Human Rights, referring inter alia to the Vienna Declaration and Programme of Action (A/CONF.157/23) and the Beijing Platform for Action (A/CONF.177/20), called once again for intensified effort at the international level to integrate the equal status and human rights of women into the mainstream of United Nations system-wide activity and to address these issues regularly and systematically in all relevant United Nations bodies and mechanisms. In line with paragraph 231 (g) of the Beijing Platform for Action, the Commission also called for the further strengthening of cooperation and coordination between the Commission on Human Rights and the Commission on the Status of Women and between the Division for the Advancement of Women and the Office of the High Commissioner for Human Rights, through the submission of a joint work plan which should reflect all aspects of work under way by both secretariats and should identify where obstacles/impediments exist and areas for further collaboration.

2. In the same resolution, the Commission requested all human rights treaty bodies, special rapporteurs and working groups to regularly and systematically take a gender perspective into account in their reports, findings and recommendations, paying special attention to violations of human rights, particularly those of women and the girl-child. In addition, the Commission recognized that the success of mainstreaming women's rights would depend on the formalizing, at the highest levels, of a clear policy and guidelines on the integration of a gender perspective into the United Nations human rights system, and drew attention to the need to develop practical strategies to implement the recommendations contained in the report of the expert group meeting on the development of guidelines for the integration of gender perspectives into human rights activities and programmes (E/CN.4/1996/105, annex).

3. The present report is submitted in accordance with Commission resolution 1997/43 and summarizes steps that have been taken to integrate gender perspectives fully into the United Nations human rights system. It updates the report submitted last year on the same issue (E/CN.4/1997/40) and deals with the concept of gender mainstreaming, and considers the various steps and initiatives taken by the Office of the High Commissioner, human rights bodies, treaty monitoring bodies and human rights mechanisms for that purpose.

I. MAINSTREAMING GENDER PERSPECTIVES

4. The Charter of the United Nations, the Universal Declaration of Human Rights and the international human rights instruments are all based on the fundamental principle of non-discrimination: everyone is entitled to all the rights and freedoms set forth in these instruments, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, birth or status.

5. While the principle of non-discrimination is a widely accepted norm, some aspects of it have proved easier to implement than others. The

elimination of discrimination on the ground of sex still remains far from being attained despite gains made in the field of human rights. The international community has recognized the inadequacy of measures taken for the promotion and protection of the human rights of women at the international level. As the extent of this inadequacy becomes more apparent, measures to counter its effects are being undertaken. The guiding principle behind these efforts is mainstreaming gender perspectives which was first formulated at the World Conference on Human Rights in 1993.

6. The World Conference on Human Rights set as a priority for Governments and the United Nations the achievement of the full and equal enjoyment by women of all human rights. The World Conference on Human Rights, by devoting particular attention to the question of gender inequality in the full enjoyment of human rights has clearly acknowledged that women's rights are human rights. It has also promoted the concept that the human rights of women are an inalienable part of universal human rights. As such they form an integral part of the human rights activities of the United Nations, including the promotion of all human rights instruments relating, directly or indirectly, to women. The Vienna Conference emphasized the need for Governments and the United Nations to make the full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex a priority goal of their policies. It also underlined the importance of the integration and full participation of women as both agents and beneficiaries in the development process.

7. Mainstreaming involves the placing of an issue within the pre-existing institutional, academic and discursive framework. It is the opposite of marginalization and, as such, is an appropriate way to characterize the objective of gender-perspective integration.

8. Not only does the issue need to be placed within pre-existing structures, it needs to be a constant consideration which is central to every aspect of the work of that structure. The aim of mainstreaming women's rights is to ensure that the inevitable social construction of men's and women's respective roles does not permit a discriminatory bias which subordinates women to men or places women in any kind of inferior position.

9. Gender mainstreaming is thus the process of bringing an awareness of the status of women into the public arena. In the field of human rights, this primarily involves realizing that there is a gender dimension to every occurrence of a human rights violation. Secondarily, it involves increasing women's participation in the mechanisms dedicated to protecting and promoting human rights. Moreover, coordination and cooperation between the different parts of the United Nations system must be strengthened if mainstreaming is to have a lasting impact on the way human rights work is executed.

10. The Fourth World Conference on Women reaffirmed that the human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights and established a number of specific strategic objectives to ensure that women enjoy their full human rights. The Beijing Declaration and Platform for Action restated and forcefully encouraged gender-sensitive analyses of human rights activity.

11. United Nations organs, bodies and agencies were especially requested to implement the recommendations of the Declaration and Platform for Action. The Platform for Action makes specific reference to the role of the Office of the High Commissioner for Human Rights, the Commission on the Status of Women, the Commission on Human Rights, the treaty monitoring bodies, and advisory services and technical assistance programmes of other bodies where integration and mainstreaming need to be a central concern.

12. The action to be taken by Governments includes a range of practical and systematic measures directed at the full implementation of human rights instruments, the promotion of human rights education, the creation of national institutions for promoting women's rights, the promotion of the human rights of indigenous women, and the adoption of strategies for the mainstreaming of gender perspectives through increased and strengthened efforts and cooperation. All Governments should ratify, without reservations, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. Action should be taken to change existing or introduce new legislation in order to ensure the protection of the human rights of women and to acknowledge the principle of gender equality as the basis for laws and practices which will promote women's concerns.

II. ACTIVITIES OF THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

13. This section gives a brief overview of the various steps and activities undertaken by the Office of the High Commissioner for Human Rights (OHCHR) in mainstreaming gender perspectives.

14. The human rights of women is at the centre of the commemorative activities for the fiftieth Anniversary of the Universal Declaration of Human Rights. The second information kit for the anniversary produced by the Office is entitled "Women's Rights, the Responsibility of All". The feature article of that kit examines and analyses the role of the United Nations in promoting the human rights of women. The kit also contains information on the activities of the United Nations system relating to the rights of women which will be carried out in 1998. In addition, information on activities relating to the human rights of women was provided by United Nations programmes and relevant intergovernmental and non-governmental organizations and campaigns planned for 1998.

15. The Committee on the Elimination of Discrimination against Women (CEDAW) has also contributed to the commemoration of the fiftieth Anniversary by elaborating a study and recommendations on the status of reservations to the Convention on the Elimination of All Forms of Discrimination against Women. The Office will campaign for the universal ratification of the Convention and the removal of substantive reservations. OHCHR is also assisting the Commission on the Status of Women in the elaboration of an optional protocol to the Convention permitting the CEDAW to consider individual complaints. This optional protocol is considered to be an important step for the better protection of the rights of women.

16. The review by the Economic and Social Council and the General Assembly of the Vienna Declaration and Programme of Action five years after its

adoption will be an occasion OHCHR will use to make a thorough assessment of the progress achieved so far with regard to the human rights of women.

17. In line with the agreed conclusions 1997/2 relating to gender mainstreaming throughout the United Nations system adopted by the Economic and Social Council, OHCHR is intensifying its effort, in coordination with the Division for the Advancement of Women, to integrate a gender perspective in all human rights activities and to help ensure that the human rights of women are included as an important element of all activities of the system. OHCHR is also in the process of elaborating a gender mission statement and strategies for effectively implementing the agreed conclusions.

18. Cooperation between OHCHR and the Division for the Advancement of Women has been strengthened. In that regard, a revised joint work plan for the Division and the Office has been agreed and submitted to both the Commission on the Status of Women and the Commission on Human Rights at its present session (E/CN.4/1998/49/Add.1, E/CN.6/1998/2/Add.1). This joint work plan aims at facilitating the mainstreaming of women's rights by reflecting it in all aspects of work under way and by identifying where obstacles exist and areas for further collaboration between both secretariats. Moreover, periodic meetings with the Secretary-General's Special Adviser on Gender Issues and the Advancement of Women take place and OHCHR is increasing its substantive contribution to and participation in the meetings of the organs whose work relates to the status of women. Computer links have been set up to enable the exchange of documents and information between secretariats.

19. As stated in the joint work plan, OHCHR has actively participated in and contributed to the expert group meetings organized by the Division for the Advancement of Women, including the expert group meeting on promoting women's enjoyment of their economic and social rights, organized jointly by the Division and the Institute for Human Rights at the Abo Akademi University (Turku, Finland, 1-4 December 1997).

20. The Economic and Social Council, in its agreed conclusions 1996/1, suggested that the Commission on Human Rights should consider providing an input to the Commission on the Status of Women on ensuring women's equal enjoyment of their human rights, in particular those relating to economic resources. The Commission on Human Rights, in its resolution 1997/11, requested the High Commissioner for Human Rights to submit, in accordance with agreed conclusions 1996/1, a report, to be prepared by the Office of the High Commissioner for Human Rights and the Division for the Advancement of Women, on the obstacles encountered and progress achieved in the field of women's rights relating to economic resources, the elimination of poverty and economic development, in particular for women living in extreme poverty. This report should be considered as a first step in the examination of the enjoyment by women of their economic and social rights which, in the context of the right to development, remains an issue of particular importance to the High Commissioner for Human Rights. That report is before the present session of the Commission on Human Rights (E/CN.4/1998/22-E/CN.6/1998/11).

21. One of the important objectives of the Office is to ensure that the technical cooperation activities in the field of human rights include the human rights of women and contribute to their promotion. A specific project

aimed at integrating gender perspectives into all technical cooperation projects developed within the technical cooperation programme in 1998 and in cooperation with the Division for the Advancement of Women is being implemented. The project has entailed making a detailed assessment of certain technical cooperation practices with respect to gender; collecting and collating expertise on gender integration from other technical cooperation agencies; and reviewing the relevant data and developing draft procedures and guidelines, as well as field-testing them in the context of selected technical cooperation projects and activities. In recognition of the link between gender and economic, social and cultural rights, the project is intended to be implemented in conjunction with a similar initiative aimed at integrating economic, social and cultural rights in technical cooperation.

22. The High Commissioner for Human Rights attaches great importance to the full realization of the human rights of women. In recognition of the fact that the human rights of women are an essential part of the High Commissioner's mandate, a policy on gender and on a strategy for its effective implementation are currently being developed. The objective is to ensure that the United Nations human rights system - and the individuals of which it is composed - have the capacity and the commitment to integrate a genuine gender perspective into all aspects of its work. In addition in her visits over the past few months to Rwanda, South Africa, Cambodia and the Islamic Republic of Iran, the High Commissioner has met with women committed to demonstrating that the human rights principles belong equally to women and are compatible with their diverse cultures and traditions. The High Commissioner has also encouraged government representatives at the highest level to ratify all pertinent instruments and to withdraw the reservations made to the Convention for the Elimination of All Forms of Discrimination against Women. She is of the belief that respect for the human rights of women requires the promotion of a culture of human rights and the establishment of "human rights communities".

III. STEPS TAKEN BY HUMAN RIGHTS TREATY BODIES AND BY HUMAN RIGHTS MECHANISMS AND PROCEDURES

A. Human rights treaty bodies

23. With regard to the steps taken by the various human rights treaty bodies, a detailed list of activities was included in the report submitted to the Commission at its last session (E/CN.4/1997/40).

1. Meeting of persons chairing the human rights treaty bodies

24. The human rights treaty monitoring bodies have been encouraged to give and are giving increasing attention to the gender dimension of their work. The chairpersons of the human rights treaty bodies discussed at their 7th meeting in 1996 how the gender perspective could be fully integrated into the work of the bodies. They recalled that at their 6th meeting, they had adopted the following recommendations which were in line with the conclusions of the expert group meeting on the development of guidelines for the integration of gender perspectives into United Nations human rights activities and programmes:

(a) The treaty bodies shall fully integrate gender-perspectives into their pre-sessional and sessional working methods, including identification of issues and preparation of questions for country reviews, general comments, general recommendations, and concluding observations. In particular, the treaty bodies should consider the gender implications of each issue discussed under each of the articles of the respective instruments;

(b) Guidelines for the preparation of reports by States parties should be amended to reflect the necessity of providing specific information on the human rights of women for consideration by the respective committees;

(c) In undertaking investigative procedures, the treaty bodies should make special efforts to elicit information about the situation of women in the area of inquiry;

(d) Treaty bodies should consistently request gender-disaggregated data from States parties and from United Nations specialized agencies and use the data in reviewing country reports;

(e) The treaty bodies should make every effort to exchange information on progress, developments and situations concerning the human rights of women;

(f) In preparing reports of the treaty body sessions, attention should be paid to the use of gender-inclusive language wherever possible.

25. At their 8th meeting in 1997 the persons chairing the human rights treaty bodies invited the Division for the Advancement of Women to prepare a background paper analysing what the various treaty bodies had done, and should do, in integrating gender perspectives into their work. In addition, they proposed that another seminar on gender perspectives, similar to the 1995 expert group meeting, should be considered and that a gender dimension be incorporated in the revision of general comments/recommendations and guidelines previously adopted by the treaty bodies.

26. OHCHR will facilitate the organization of a seminar to consider how gender perspectives can be incorporated into revisions of general comments/recommendations and guidelines of the treaty bodies, as well as other practical initiatives aimed at improving the work of the treaty bodies.

2. Human Rights Committee

27. In its concluding observations (A/52/40) on various reports considered in 1997, the Committee expressed its concern about the high maternal mortality rate in the Sudan, which might be the consequence of early marriage, clandestine abortions and female genital mutilation. The Committee was concerned about the persistence of certain traditional cultural practices affecting women in Senegal, such as polygamy, the custom of female genital mutilation and the high maternal mortality rate resulting from that practice, as well as from early pregnancy and the formal prohibition of abortion. The Committee encouraged the State party to institute a systematic campaign to raise public awareness concerning the persisting negative attitudes towards

women and to protect them against all forms of discrimination, and urged the State party to abolish practices detrimental to women's health and to reduce the maternal mortality rate.

28. While taking note of the measures adopted recently to provide assistance to women victims of acts of violence and forced prostitution in Lithuania and to prosecute the intermediaries, the Committee expressed its extreme concern about the extent of that phenomenon and of the problems of ill-treatment and particularly sexual abuse of children. The Committee was concerned about the frequency with which women fell victim to family violence in Jamaica and recommended that greater efforts be made to sensitize the public to the need to respect women's dignity, to adopt legislation affording remedies that would be easily accessible to women in cases of violation of their basic rights and to implement social and educational programmes to ensure respect for women's rights and abolish all discrimination.

29. The Committee noted the various steps taken in Belarus to improve the situation of women, particularly in the labour market, and welcomed the creation of a Women's Crisis Centre to shelter women victims of rape or domestic violence.

30. While acknowledging measures taken to outlaw child marriages (Child Marriage Restraint Act), the practice of dowry and dowry-related violence (Dowry Prohibition Act and the Penal Code) and sati - self-immolation of widows - (Commission of Sati (Prevention) Act), the Committee remains gravely concerned that legislative measures in India are not sufficient and felt that measures designed to change the attitudes which allow such practices should be taken. The Committee was also concerned that male children continued to be given preferred treatment, and it deplored the persistence of practices such as foeticide and infanticide of females. The Committee further noted that rape in marriage is not an offence and that rape committed by a husband separated from his wife incurs a lesser penalty than other cases of rape. The Committee was also concerned that women in India have not been accorded equality in the enjoyment of their rights and freedoms.

31. Despite constitutional guarantees of the rights of women and laws attempting to put an end to discrimination, women in Bolivia continue to receive unequal treatment owing in part to the continuation of traditional attitudes and outdated laws that clearly contradict the provisions of the Covenant.

32. The Committee is particularly concerned about reports on the extent of trafficking in women in Macau and on the large number of women from different countries who are being brought into Macau for the purpose of prostitution.

3. Committee on Economic, Social and Cultural Rights

33. Despite the Zimbabwean Government's stated policy of de jure equality of men and women, the Committee felt that there was discrimination against women, particularly in rural areas, and that this was attributable to traditional practices such as arranged marriages of children and the forced marriage of a widow with her late husband's brother.

34. The persistence of the problem of domestic violence against women in Russia and the rapid development of prostitution and the growing phenomenon of street children and their exploitation for criminal and sexual activities are principal subjects of concern for the Committee.

35. In considering the periodic report of Peru, the Committee noted with concern that there are various forms of discrimination against women, particularly in the areas of education and employment. It also found that poor women with no education have a maternal mortality rate 10 times higher than that of educated women.

36. The Committee noted with concern that, despite the existence of legislation in Libya guaranteeing full equality between men and women and banning any discrimination against women, the State party has advanced certain arguments against the enjoyment by women of certain family and civil rights on the basis of the sharia.

4. Committee on the Rights of the Child

37. During its consideration of the periodic report of Syria, the Committee expressed its concern at the persistence of discriminatory attitudes towards girls, including the practice of early marriage, and towards children born out of wedlock. Moreover, the lower marriageable age for girls than for boys raised questions as to its compatibility with the Convention, in particular article 2. Accordingly, it was recommended that the State party launch information campaigns to prevent and combat prevailing discrimination against girls and that appropriate pro-active measures be adopted for the protection of children born out of wedlock.

38. On the other hand, the Committee was encouraged by the combined efforts undertaken by the Government of Ethiopia and international or non-governmental organizations to protect and promote children's rights, in particular in the field of information on HIV/AIDS. On the same subject, the Committee recommended that the Czech Republic should envisage adopting reproductive health measures designed to reduce the incidence of pregnancies among teenage girls and strengthen its information and prevention programmes to combat HIV/AIDS and other sexually transmitted diseases.

39. In view of the traditions and practices preserved by some States parties, the Committee recommends that campaigns be conducted to provide information and raise awareness about all those traditional practices which are detrimental to the health of women and children, in particular genital mutilation of girls.

40. Concerning discrimination against women, the Committee regretted that women in Australia working in the private sector were not systematically entitled to maternity leave, which could result in different treatment between children of State employees and those working in other sectors.

41. In general and for many States parties to the Convention, the Committee recommends that studies and campaigns be undertaken, where appropriate, to combat traditional attitudes and stereotypes and sensitize society to the situation and needs of the girl child, children born out of wedlock, children

living and/or working in the streets, child victims of sexual abuse and sexual exploitation, disabled children, refugee children and children belonging to tribal minorities.

5. Participation of women in international treaty bodies

42. The composition of the bodies established under international instruments must be considered as an indicator of the advancement of women within the United Nations system. There is no woman member of the Committee against Torture. On the other hand, the Committee on the Elimination of Discrimination against Women is composed solely of women. The Committee on Economic, Social and Cultural Rights has 2 women among its 18 members, as has the Committee on the Elimination of Racial Discrimination. The Committee on the Rights of the Child and the Human Rights Committee are both chaired by women and there are 7 women among the 10 members of the first committee and 4 women among the 18 members of the second.

B. Human rights mechanisms and procedures

43. The special procedures mechanisms have also been encouraged to integrate a gender perspective into their work. Each year, resolutions adopted by the Commission on Human Rights and ECOSOC, notably the adoption in 1996 of agreed conclusions 1996/7, have encouraged and requested the special rapporteur/representatives, experts and working groups to include in their reports gender-disaggregated data and to address the characteristics and practices of human rights violations that are specifically or primarily directed against women or to which women are particularly vulnerable, and to enhance cooperation and exchange information among themselves and with the Special Rapporteur on violence against women. Several special rapporteurs and working groups considered the question of the human rights of women, while others faced difficulties in fully integrating gender perspectives into their work. In that regard, OHCHR has an important role to play by providing, for example, gender-disaggregated data, identifying gender-specific violations and formulating appropriate responses.

44. A number of country-specific special rapporteurs are submitting this year to the Commission reports which contain a substantive analysis of the human rights of women within their respective mandates. The Special Rapporteur on the situation of human rights in the territory of the Former Yugoslavia has paid special attention in her reports to the use of rape as a weapon of war. A Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the problems of rape, sexual slavery and slavery-like practices in wartime is scheduled to submit her final report to the Sub-Commission at its fiftieth session.

45. In his report (E/CN.4/1998/70), the Special Rapporteur on the situation of human rights in Myanmar expressed his concern with regard to cases of abduction and rape of girls by the army, as well as the issue of violence against women (rape, beatings, etc.) and their forced displacement.

46. In his report (E/CN.4/1998/71), the Special Rapporteur on the situation of human rights in Afghanistan focuses on the situation of women in that country. He notes violations of women's rights by the new Taliban order.

Women are discouraged from leaving their homes and, when they do go out, they are obliged to wear the veil and must be accompanied by a male relative. The hammams (public baths) for women have been closed. The Special Rapporteur mentions the case of 225 women who were reportedly beaten at the presidential palace for non-observance of the rules laid down by the new order. In addition, the Special Rapporteur reports cases of torture and humiliating treatment of women by the Talibans, in which women were allegedly beaten with chains in Kabul for not wearing the veil and fire hoses were reportedly used to disperse demonstrations by women. Women's right to work has been flouted; only a few women still work in the north. These practices have had serious consequences in economic terms, since women represent 50 per cent of public servants, 70 per cent of teachers and 40 per cent of doctors. The Special Rapporteur notes that the Government's promise to pay the women's salaries until the establishment of working conditions consistent with Islam has not been respected. Salaries were paid only once, in a currency no longer accepted on the market. Only the health sector still makes an exception since female labour is essential there in view of the shortage of staff. The Special Rapporteur notes the closure of 63 schools for girls. In his report, the Special Rapporteur expresses his concern about women as the social group most affected by the restrictive measures of the Taliban order.

47. In his report (E/CN.4/1998/73), the Special Rapporteur on the situation of human rights in Equatorial Guinea devotes a special chapter to the situation of women in that country. He notes that the proportion of women in the population is growing, together with their political role, in particular due to the efforts of the Ministry of Social Affairs and the Situation of Women. Despite the Government's efforts, women are reported to be still in a situation of inferiority and discrimination persists. The maternal mortality rate remains high owing to the lack of health care and early pregnancy, and 50 per cent of women and girls are illiterate.

48. In his report (E/CN.4/1997/58, paras. 44 and 55), the Special Rapporteur on the situation of human rights in the Sudan has expressed his concern at what he describes as "strict sexual segregation in public" introduced by the Public Order Act of 1996. He also draws the international community's attention to the critical situation of the quarters for women in the Omdurman prison, which is designed for 100 persons but currently holds more than 600, as against about a dozen in 1989.

49. The foregoing is not, of course, an exhaustive list of all the special rapporteurs who have expressed their concern about the situation of women in certain countries. However, these are certainly the special rapporteurs who have shown the keenest concern in view of the conditions in the countries whose human rights situation they have examined.

50. With respect to the work of some thematic special rapporteurs, it should be noted that the Special rapporteur on violence against women continues to lead in the integration of human rights of women within the Commission's work. This year's report by the Special Rapporteur to the Commission on Human Rights (E/CN.4/1998/54 and Add.1) focuses on violence against women as perpetrated and/or condoned by the State, including custodial violence and violence against refugee and internally displaced women. The Special Rapporteur on violence against women carried out a mission last year to Rwanda to study the

situation of women in the post-conflict period, including violence against women in prisons, and what progress was being made by the national and international tribunals.

51. The recent report to the General Assembly and to the Commission on Human Rights by the Special Rapporteur on the sale of children, child prostitution and child pornography, which contains a very useful analysis of the impact of media and education both in preventing but also in exacerbating the problem of commercial sexual exploitation of children, particularly the girl-child.

52. The Special Rapporteur on the right to freedom of opinion and expression has noted that women are often reduced to silence because of cultural prejudices. Lack of access to information about family planning and inequality in personal status are among the most frequent forms of violation of women's rights. It should be noted that the Special Rapporteur advocates greater cooperation with the Special Rapporteur on violence against women in order to identify the obstacles to freedom of expression and to propose remedies.

53. The special rapporteurs have tended increasingly to examine the question of the enjoyment by women of their rights. While they do not all give this matter equal attention or importance, either because reports are not gender-specific or because of misunderstanding of the approach, it is interesting to note that there is an encouraging trend towards integrating women's rights into the study of many subjects. Further efforts need to be made, of course, and the United Nations High Commissioner for Human Rights has a role to play in this regard.

IV. ACTION TAKEN BY THE COMMISSION ON HUMAN RIGHTS

54. Following the adoption of the Vienna Declaration and Programme of Action, the Commission on Human Rights has made initial steps towards encouraging mainstreaming of gender perspective. It has shown sustained efforts and concerns on the question of the human rights of women and the girl child. At its fifty-third session, it has adopted four specific resolutions relating to violence against women migrant workers (1997/13), traffic in women and girls (1997/19), integrating the human rights of women throughout the United Nations system (1997/43) and the elimination of violence against women (1997/44).

55. During its fifty-second and fifty-third sessions, the Commission voiced particular concern regarding violations of women's rights in specific countries, such as Afghanistan, Equatorial Guinea, Myanmar, Iran, States in the former Yugoslavia, and Sudan and adopted several resolutions with respect to the work of country and thematic rapporteurs.

56. In other resolutions, including those on extreme poverty, rights of the child, the protection of human rights in the context of HIV/AIDS, internally displaced persons, the right to development, contemporary forms of slavery, etc., the Commission made specific reference to violations of the human rights of women and called for measures to combat these problems.

V. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

57. The integration of gender concerns was recommended at all recent global conferences, with a strong emphasis by the World Conference on Human Rights and the Fourth World Conference on Women. In its resolution 52/100, the General Assembly called once again upon States, the United Nations system and all other actors to implement the Platform for Action, in particular by promoting an active and visible policy of mainstreaming a gender perspective at all levels, including in the design, monitoring and evaluation of all policies and programmes in order to ensure effective implementation of all critical areas of concern of the Platform for Action. Subsequent paragraphs highlight the need for programmes of this kind to be allocated separate resources and for enhanced international cooperation in gender-related issues in order to ensure effective implementation.

58. It should be recalled that the United Nations system-wide medium-term plan for the advancement of women 1996-2001, which was submitted to the Economic and Social Council and endorsed in Council resolution 1996/34, stressed the importance of collaborative action in relation to assisting individual countries to translate the outcome of the conferences and summits into concrete national policies and programmes. The plan follows the structure of the Platform for Action adopted in Beijing. Most of the participating organizations and entities of the United Nations system approached the advancement of women through mainstreaming gender concerns into the full range of their activities. Some committed themselves to support programmes specifically targeted at women while others adopted the advancement and empowerment of women and the achievement of women's equality as their primary focus. Basically, all entities of the United Nations are, to varying degrees and in their specific areas of concern, participating in activities to implement the Beijing Platform for Action.

59. In general, the three main areas of the United Nations system-wide activities requiring collaboration are development of international standards and norms, policy formulation, and advice and operational programmes. Actions and means employed in their support include information collection and database development; research and analysis; operational activities, such as advisory services, technical assistance and training; and public information and outreach. As stated in the system-wide plan a great number of organizations in the United Nations system committed themselves to promote and to advocate women's full and equal enjoyment of all human rights and to advocate in particular the rights-based approach to the advancement of women in such areas as employment, education, violence against women and health and reproductive rights, as well as in the development activities.

60. A report of the Secretary-General submitted to the forty-second session of the Commission on the Status of Women in March 1998 (E/CN.6/1998/3) reviewed and updated all initiatives taken by the organizations of the United Nations system which had committed themselves to the system-wide plan. The report, to which OHCHR, among others, contributed, help outline the future directions of the work of all the organizations.

61. The forty-second session of the Commission on the Status of Women was particularly relevant to the human rights objectives of the United Nations through its evaluation of the post-Beijing achievements in four major areas of concern: human rights of women, violence against women, the girl child, and women in armed conflicts. In addition, the Commission, in dealing with the economic and social rights of women, can contribute to a better understanding of an important aspect of the right to development.

62. Resolutions and reports, written commitments and speeches, as a first step, are necessary to set the stage for the realization of the ideal of full integration of a gender perspective. However, the implementation of specific measures is the crucial second step which, if not taken, will detract from the potential effectiveness of the initial step. The need to move from words to action is urgent.

B. Recommendations

63. The treaty bodies should continue their efforts in developing a gender analysis of each article of each treaty, cross-referenced to the Convention on the Elimination of All Forms of Discrimination against Women, including the development of gender-sensitive model questions to be used in the review of State parties' reports. They should also be encouraged to develop a common strategy towards mainstreaming the human rights of women into their work, so that each body, within its mandate, monitors the human rights of women. Cooperation between treaty bodies in the drafting of general comments/recommendations should be encouraged with a view to the preparation of general comments/recommendations which reflect a gender perspective. Moreover, treaty bodies should be encouraged to incorporate a gender perspective into their concluding observations so that the concluding observations of each treaty body delineate the strengths and weaknesses of each State party insofar as enjoyment by women of the rights guaranteed by a particular treaty is concerned. The treaty monitoring bodies are encouraged to continue to use the expertise of the Division for the Advancement of Women.

64. Another seminar on gender perspectives, similar to the expert group meeting held in 1995 is planned and a gender dimension should be incorporated into future revision of general comments/recommendations and guidelines previously adopted by the treaty bodies. OHCHR should facilitate the organization of this seminar to consider how gender perspectives can be incorporated into the revisions, as well as other practical initiatives aimed at improving the work of the treaty bodies.

65. With regard to comprehensive recommendations, reference should be made to the wide range of recommendations contained in the report on the expert group meeting on the development of guidelines for the integration of gender perspectives into human rights activities and programmes held in 1995 (E/CN.4/1996/105, para. 71). The main recommendations are reproduced below:

1. The language used in the formulation of new human rights instruments and standards and in existing standards should be gender inclusive. The Office of the High Commissioner for Human Rights should establish a guideline on gender inclusivity in all the official languages of the United Nations, for use in the preparation of all its communications,

reports and publications. The Commission on Human Rights, its Sub-Commission and the various human rights mechanisms should also strive to ensure that the language used in reports and resolutions is gender inclusive.

2. All entities charged with the protection and promotion of human rights, including United Nations human rights bodies, Governments and other international institutions, should identify, collect and use gender-disaggregated data in their communications and apply gender analysis to monitoring and reporting.

3. Because effective integration of women's human rights within the United Nations requires creative and comprehensive gender analysis of information as well as gender-sensitive interpretation of all human rights mechanisms, all bodies are called upon to revise their working methods to incorporate such an approach.

4. An evaluation of all information and training materials published by the Office of the High Commissioner for Human Rights should be undertaken from a gender-sensitive perspective and revisions made where necessary. The Fact Sheet series, the Professional Training series and the Manual on Human Rights Reporting should be considered priorities for such review. Consideration should be given to the development of information materials on gender perspectives and on strategies for ensuring the integration of the human rights of women into United Nations system-wide activities and programmes.

5. The importance of education cannot be overemphasized. In relation to the United Nations Decade for Human Rights Education, steps should be taken to ensure that all Decade-related activities are gender sensitive; there must also be special attention paid to women's rights and to teaching women about their human rights.

6. The Office of the High Commissioner for Human Rights should provide more accessible information about current activities such as on-site field visits, treaty reporting schedules, etc. so that all NGOs, and especially women's NGOs, can provide greater input and become more involved in the human rights work of the United Nations. More aggressive steps to disseminate this information could include media outreach, when appropriate to the mandate of the activity, using such means as radio, popular newspapers, etc.

7. All management officials and staff members of the Office of the High Commissioner for Human Rights and other personnel involved in United Nations human rights activities should receive training in recognition of the human rights of women and in the application of gender-sensitive perspectives to the promotion and protection of the human rights of women.

8. The Office of the High Commissioner for Human Rights should promote system-wide coordination and collaboration on the human rights of women within the United Nations. This includes promoting a gender perspective on the human rights aspects of, inter alia, peace-keeping and monitoring the Department of Peace-keeping Operations, humanitarian assistance (Department of Humanitarian Affairs), refugees (Office of the United Nations High

Commissioner for Refugees), development (United Nations Development Programme), economic policy and planning (International Monetary Fund, World Bank), reproductive health services (United Nations Population Fund), labour (International Labour Organization) and education (United Nations Educational, Scientific and Cultural Organization).

9. The Office of the High Commissioner for Human Rights should cooperate and collaborate in efforts to mainstream women's human rights with the women-specific bodies of the United Nations system.

10. United Nations bodies and States parties must take steps to ensure equal representation of women and men, as well as gender-trained individuals, on the committees of experts that monitor the implementation of treaties, as well as among the independent experts and working groups of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

- - - - -